

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested in light of the enclosed corrected Reissue Declaration and the remarks presented below as well as in light of the remarks and amendments made in the Amendment filed February 20, 2001, that are hereby incorporated by reference..

Claims 1-129, 133-135, 140, 143, and 150-174 are pending in this application. The Amendment filed February 20, 2001, canceled Claims 130-132, 136-138, 141, 142, and 14-149 while it amended Claims 120, 121, 123, 125, 127, 129, 133, 139, 143, and 150, and added Claims 150-174. A first Supplemental Amendment, supplemental to this Amendment filed February 20, 2001, was filed on May 30, 2001. An Election of Species Requirement was mailed on October 8, 2003, and a response was filed on January 8, 2004 that elected the species noted in the Requirement to be “A/Species of Figs. 1 and 3,” without traverse, and indicated that Claims 1-119, 121-129, and 151-174 were believed to read on the elected species.

The next communication received from the United States Patent and Trademark Office was the above-noted the Communication mailed on February 23, 2005, that indicated that the Amendment filed on February 20, 2000, was not fully responsive. The outstanding rejection noted in this Communication states that previously pending Claims 1-150 were rejected under 35 U.S.C. §251 as being based upon a defective Reissue Declaration. The reasons for finding the oath/declaration defective were stated to be that the Declaration contained an incorrect grant date of May 21, 1996 for U.S. Letters Patent 5,570,315 (that should have been October 29, 1996) and because it failed to contain a statement “that all errors which are being corrected in the reissue application up to the time of filing the oath/declaration arose without any deceptive intention on the part of the applicant.”

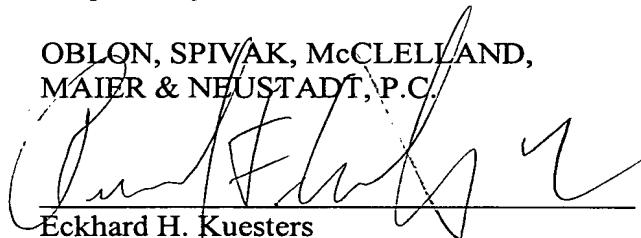
In order to correct the above-noted deficiencies of the oath/declaration, the present Second Supplemental Amendment includes a corrected Reissue Declaration that corrects the grant date of U.S. Letters Patent no. 5,570,315 to be the indicated October 29, 1996, date and that includes that all errors being corrected arose without any deceptive intention on the part of not only the applicants, but also on the part of the assignee.

Accordingly, it is believed that the present Second Supplemental Amendment and included corrected Reissue Declaration are responsive to the above-noted rejection under 35 U.S.C. §251 and that this rejection should now be withdrawn.

In light of the foregoing, it is believed that no other issues remain outstanding in this application, such that it is believed that this application is clearly in condition for formal allowance and, accordingly, an early and favorable action to this effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Raymond F. Cardillo, Jr.
Registration No. 40,440

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

I:\ATTY\RFC\0039\00396348.SUPAM.DOC